



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
 Kiyohito MUKAI, et al. : Confirmation Number: 3812
 Application No.: 10/663,642 : Group Art Unit: 2812
 Filed: September 17, 2003 : Examiner: Walter Lee Lindsay, Jr.

For: METHOD OF FABRICATING A SEMICONDUCTOR DEVICE AND A METHOD OF GENERATING A MASK PATTERN

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Noting the Office Action of March 22, 2005 wherein restriction has been required, Applicant hereby elects Species I with claims 1-3 readable thereon, for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Ramyar M. Farid
 Registration No. 46,692

Please recognize our Customer No. 20277
 as our correspondence address.

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Date: April 19, 2005
 WDC99 1070841-1.056937.0086